



ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

7A Triston Randal Gambell (GUARD/P)

Case No. 14CEPR00258

Atty Walters, Jennifer L. (for Elvera Alarcon – maternal grandmother/Petitioner)

Atty Victoria, Desiree (pro per – non-relative (father's girlfriend)/competing Petitioner)

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Age: 12	<u>TEMPORARY OF DESIREE VICTORIA</u> <u>EXPIRES 07/16/14</u>	NEEDS/PROBLEMS/COMMENTS:
	ELVERA ALARCON , maternal grandmother, is Petitioner.	<u>CONTINUED FROM 06/04/14</u> Minute Order from 06/04/14 states: Ms. Walters is appearing as counsel for Elvera Alarcon. Parties agree to participate in mediation today at 10:00 am.
Cont. from 060414	Father: RANDALL GAMBELL – currently incarcerated; personally served on 04/07/12	See page 7B for competing petition.
<input type="checkbox"/> Aff.Sub.Wit.	Mother: NELIDA GARCIA – Consent & Waiver of Notice filed 03/27/14	
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.	Paternal grandfather: THOMAS GAMBELL – deceased	
<input type="checkbox"/> Notice of Hrg	Paternal grandmother: MELANIE GAMBELL – deceased	
<input type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.	Maternal grandfather: JESUS CONTRERAS GARCIA – Declaration of Due Diligence filed 04/07/14	
<input type="checkbox"/> Sp.Ntc.		
<input checked="" type="checkbox"/> Pers.Serv.		
<input checked="" type="checkbox"/> Conf. Screen	Petitioner alleges that the father was arrested after his home was raided due to his drug dealing. The minor has been left in the care of the father's girlfriend who petitioner also suspects uses and deals drugs. Petitioner states that Triston's mother is also a drug addict.	1. Need Notice of Hearing. 2. Need proof of service at least 15 days before the hearing of Notice of Hearing with a copy of the <i>Petition for Guardianship</i> or Consent & Waiver of Notice or Declaration of Due Diligence for: a. Triston Gambell (minor) – Personal service required b. Jesus Contreras Garcia (maternal grandfather) – service by mail sufficient (Declaration of Due Diligence filed 04/07/14 states his whereabouts are unknown and Petitioner has not seen him since 1991)
<input checked="" type="checkbox"/> Letters		
<input checked="" type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input checked="" type="checkbox"/> CI Report	Court Investigator JoAnn Morris filed a report on 05/22/14.	
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input checked="" type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
Continued on Page 2		Reviewed by: JF
		Reviewed on: 07/11/14
		Updates:
		Recommendation:
		File 7A – Gambell

7A

Supplemental Declaration of Elvera Alarcon filed 06/03/14 states: The mother, Nelinda Garcia signed a Consent and Waiver of Notice on 03/27/14 and a letter addressing her wishes is attached to this declaration (attachment missing). Triston and Petitioner have always shared a close bond. He is autistic and has a difficult time understanding what is going on around him. He has a tendency to say whatever his questioner wants to hear and will repeat himself when he is uncomfortable or scared. Before his father was arrested, Triston would stay with Petitioner for several days at a time. It was normal for petitioner to provide clothes and hygiene products for Triston. During their last visit, Triston told Petitioner that he didn't want to be responsible for breaking up his dad's home. He stated that if he came to live with Petitioner it would be his fault. Petitioner does not know who told him this, but does not believe that this is a weight that a 12 year old boy should bear, especially one who has a difficult time working through his emotions to begin with. Petitioner states that she has not been able to visit with Triston since the temporary guardianship was granted at the last hearing. Petitioner believes that this is detrimental to Triston and also sad because he does not have any other family to lean on during these difficult times.

Beginning January 2014, Triston began receiving \$877.40 in SSI each month. Petitioner has great concern as to where these funds are going as Desiree is not working and Triston wears clothes and shoes that are too small for him. Petitioner believes the reason Desiree is resistant to letting Triston live with her is because she cannot afford to take care of her other children without Triston's income. Petitioner states that she does not need the money and if given guardianship of Triston, she would have no problem putting the money away for Triston's future.

Triston's father, Randall Gambell, was arrested in their home for possessing both drugs and a loaded firearm in the home. The home was raided on 03/14/14 and Randall has been incarcerated ever since. Petitioner is concerned that Desiree is still in a relationship with Randall and is awaiting his release and return to their home. Randall has been using and dealing drugs for as long as Petitioner has known him and Petitioner has no doubt it will continue in the future.

Petitioner prays for a Court order granting guardianship to her as it is in his best interest and better for his safety.

7B Triston Randal Gambell (GUARD/P)

Case No. 14CEPR00258

Atty Alarcon, Elvera (pro per – maternal grandmother/Petitioner)

Atty Victoria, Desiree (pro per – non-relative (father's girlfriend)/competing Petitioner

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Age: 12		TEMPORARY EXPIRES 06/04/14	NEEDS/PROBLEMS/COMMENTS:
		DESIREE VICTORIA, father's girlfriend, is petitioner.	<u>CONTINUED FROM 06/04/14</u> Minute Order from 06/04/14 states: Ms. Walters is appearing as counsel for Elvera Alarcon. Parties agree to participate in mediation today at 10:00 am.
		Father: RANDALL GAMBELL – currently incarcerated; Consent & Waiver of Notice filed 04/07/14 Mother: NELIDA GARCIA – Declaration of Due Diligence filed 04/16/14	
Cont. from 060414			3. Need proof of service by mail at least 15 days before the hearing of Notice of Hearing with a copy of the Petition for Guardianship <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for Jesus Contreras Garcia (maternal grandfather).
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input type="checkbox"/>	Aff.Mail	x	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input checked="" type="checkbox"/>	Pers.Serv.	w/	
<input checked="" type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input checked="" type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input checked="" type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
		Court Investigator JoAnn Morris filed a report on 05/22/14.	
			Reviewed by: JF
			Reviewed on: 07/11/14
			Updates:
			Recommendation:
			File 7B – Gambell

7B

Status Hearing Re: Filing of the Petition for Final Distribution

DOD: 02/24/2012	KENNETH ROBERTS , was appointed Administrator with full IAEA and with bond set at \$20,000.00 on 10/18/2012.	NEEDS/PROBLEMS/COMMENTS: Continued from 06/04/2014. Minute Order of 04/30/2014: Counsel advises the Court that he now has all the paperwork needed to file the required documents. 1. Need First Account or Petition for Final Distribution or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.
Cont. from 122013, 010214, 031314, 043014, 060414	Proof of Bond was filed 2/22/2013 showing bond posted in the sum of \$20,000.00 .	
	Letters issued on 03/14/2013.	
Aff.Sub.Wit.		
Verified	Final Inventory and Appraisal filed on 10/15/2013 shows an estate valued at \$129,764.97 .	
Inventory		
PTC	Minute Order of 10/18/2012 set this matter for hearing on 12/20/2013 for status of filing for final distribution.	
Not.Cred.		
Notice of Hrg	Minute Order dated 12/20/2013 [Judge Snauffer] states: No appearances. Matter continued to 1/2/2014. The Court orders Larry Donaldson to be personally present on 1/2/2014 .	
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen	Former Status Conference Statement filed 03/04/2014 by Attorney Larry A. Donaldson states that the accounting for the estate has been partially prepared but is not completed yet. The Administrator and heirs have not yet decided whether to sale or transfer the real property in the estate. The house is the only asset left in the estate. The Administrator of the estate, Ken Roberts, has lent the estate more than \$9,000. Ken Roberts is serving as Administrator without compensation and waives all fees that would normally be paid to him. Attorney Donaldson also waives all fees that would normally be paid for his services. There are no other assets other than the real property to pay back to the money loaned to the estate. Attorney Donaldson will be out of the county from 03/04/2014 through 03/12/2014 and unavailable to complete the paperwork to finish the accounting. Attorney Donaldson anticipates that the accounting will be completed and the estate in a condition to close by April 30, 2014.	
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
✓ Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: LV Reviewed on: 07/11/2014 Updates: Recommendation: File 12 – Roberts